

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRIAN J. HIGGINS

Plaintiff

-vs-

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY

Defendant

: CASE NO. 1:07 CV 0033

:
:
:
: ORDER ADOPTING REPORT AND
: RECOMMENDATION AND GRANTING
: IN PART AND DENYING IN PART,
: PLAINTIFF'S PETITION FOR
: ATTORNEY'S FEES
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on Plaintiff's petition for attorney's fees, under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), which was filed on 27 December 2007. (Doc. #25) The Court referred this matter to United States Magistrate Judge Kenneth McHargh for a report and recommendation ("R&R"). Magistrate Judge McHargh filed his R&R decision on 26 March 2008, recommending that, the Plaintiff's petition for attorney's fees under EAJA be granted in part and denied in part.

Neither party has objected to the Magistrate Judge's report and recommended decision. Therefore, it must be assumed they are satisfied with it. Any further review by this Court would be duplicative and inefficient use of the Court's limited resources.

Accordingly, the Magistrate Judge's report and recommended decision is adopted. Plaintiff's petition is granted in part and denied in part and Plaintiff shall be awarded fees in the amount of \$6,288.89 to be sent directly to his counsel, Paulette F. Balin.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 15 April 2008